



UNITED STATES COURT
OF FEDERAL CLAIMS

18th Judicial CONFERENCE

NOVEMBER 3 & 4, 2005

Hyatt Regency - Penn's Landing
Philadelphia, Pennsylvania

DAMAGES AGAINST THE SOVEREIGN: THEORY AND PRACTICE

THURSDAY, NOVEMBER 3, 2005

3:30 p.m. to 4:00 p.m. **REGISTRATION**

4:15 p.m. to 5:30 p.m. **ASK THE JUDGES**

Moderator: Steven Frahm, President, CFC Bar Association
Panelists: The Honorable Edward J. Damich
 The Honorable Marian Blank Horn
 The Honorable Charles F. Lettow
 The Honorable Loren A. Smith
 The Honorable Mary Ellen Coster Williams
 The Honorable Victor J. Wolski

6:30 p.m. **RECEPTION AND DINNER**

The National Constitution Center
525 Arch Street, Philadelphia, PA
(Bus Transportation Provided)

Guest Speaker: Kermit Roosevelt,
Professor, University of Pennsylvania Law
School; Author, *In the Shadow of the Law*

FRIDAY, NOVEMBER 4, 2005

8:00 a.m. to 8:30 a.m. **REGISTRATION & CONTINENTAL BREAKFAST**

8:30 a.m. to 8:45 a.m. **WELCOME & STATE OF THE COURT**

The Honorable Edward J. Damich
Chief Judge, U.S. Court of Federal Claims

8:45 a.m. to 10:15 a.m. **GENERAL SESSION—Theories of Recovery:
Restitution under the new American Law Institute approach.**
Professor Kull
Damages from an Economist's Perspective.
Professor Goldberg, Mr. Carron

Moderator: The Honorable Nancy B. Firestone, U.S. Court of Federal Claims
Panelists: Professor Andrew Kull, Boston University School of Law
Victor Goldberg, Co-Director, Center for Law & Economic Studies,
Columbia University School of Law
Andrew S. Carron, Senior Vice President, National Economic Associates, Inc.

10:15 a.m. to 10:30 a.m. **BREAK**

10:30 a.m. to 11:45 a.m. **GENERAL SESSION—Practicum on Damages:
Discussion of Issues Affecting the Assessment and
Calculation of Damages from the Expert's Perspective.**

Moderator: The Honorable Francis M. Allegra, U.S. Court of Federal Claims
Panelists: David Lasater, FTI Consulting, Inc.
Bradley J. Preber, Grant Thornton LLP
William Wade, Energy and Water Economics

12:00 p.m. to 1:15 p.m. **LUNCH—Special Guest Speaker: The Honorable Dick Thornburgh**

1:15 p.m. to 1:45 p.m. **GENERAL SESSION—Iraq: A Lawyer's Perspective.
The role of civilian public servants and,
particularly, the contributions of American lawyers to the
reconstruction of the emerging state of Iraq.**

Moderator: John Euler, Past President, CFC Bar Association;
Office of General Counsel to Coalition Provisional Authority in Iraq
Panelists: Myriah Jordan, Deputy General Counsel, Office of Special
Inspector General for Iraq Reconstruction
Corin Stone, Deputy General Counsel, Office of the
Director, National Intelligence
John Vardman, Special Assistant to General Counsel,
Department of the Treasury

1:45 p.m. to 2:00 p.m. **BREAK**

2:00 p.m. to 3:15 p.m. **BREAKOUT SESSIONS**

**"BIG CASES": How Large Cases Are (or Are Not)
Affecting Practice and Procedure before the Court.**

Issues include: do “big” cases require or justify departure from normal rules of document production, the taking of depositions, or other discovery procedures; what are the limitations on “lead case” procedures; and should special trial procedures be implemented?

Moderator: The Honorable Christine O.C. Miller, U.S. Court of Federal Claims
Panelists: Brad Fagg, Morgan Lewis & Bockius
Harold D. Lester, Department of Justice
William Ryan, Department of Justice
Edward Sisson, Arnold & Porter

PROPERTY VALUATION:

Discussion of Common Valuation Issues.

Topics include: Use of different valuation approaches; determination of highest and best use; evaluating unusual property interests including temporary interests; and other valuation issues arising in litigation.

Moderator: The Honorable Emily C. Hewitt, U.S. Court of Federal Claims
Panelists: William C. Harvey, Harvey & Associates, Inc.
Steven Herzog, President, The Herzog Group, Inc.
Christopher Lattanzi, President, Micon International, Ltd.
Gary Trugman, President, Trugman Valuation Associates

PICKING THE RIGHT EXPERT:

Practical Issues in Selecting and Working with Experts.

Topics include: criteria for selection; ethical considerations; dealing with first-time testifying experts; what to do when problems arise.

Moderator: The Honorable Eric G. Bruggink, U.S. Court of Federal Claims
Panelists: The Honorable John Wiley, Los Angeles Superior Court
Jeanne Davidson, Department of Justice
David Gustafson, Department of Justice
Dan Marino, Sutherland Asbill & Brennan LLP
Nancie Marzulla, Marzulla & Marzulla

VACCINE DAMAGES:

Creative Approaches for Determining Reasonable Compensation.

Moderator: Jerry P. Roscoe, Owner/Neutral, JAMS, Inc.
Panelists: Lawrence H. Curtis, General Counsel, Mass Tort Settlements Services
Roberta Hurley, Life Care Planner, Hurley & Econs Consulting
Suzanne Labansky, Life Care Planner

3:15 p.m. to 3:30 p.m. BREAK

3:30 p.m. to 4:30 p.m. GENERAL SESSION—ETHICS: Civil Litigation Against the Government and the Model Rules of Professional Conduct.
Professor Cathy Lanctot, Villanova University School of Law

Dates: November 3-4, 2005

Place: Hyatt Regency at Penn's Landing, Philadelphia, PA

Registration Information

The registration fee includes admission to all conference sessions, conference materials, meals and receptions.

FEES:

Registrations *must be postmarked* by October 10, 2005:

Government Attorneys:

CFC Bar Assn. Member*: \$190.00 • Non-CFC Bar Assn. Member: \$215.00

Private Attorneys & Others:

CFC Bar Assn. Member*: \$240.00 • Non-CFC Bar Assn. Member: \$265.00

***Bar Assn. Membership is not the same as admission to the Bar of the Court; you must belong to the Bar Association and have paid your annual dues.**

A *late* fee of \$50.00 *must* be added for all registrations *postmarked after* October 10, 2005.

Please submit a separate registration form for each attendee. Firms may submit one check to cover more than one attendee. You may fax your registration to 202-637-3593.

Checks should be made payable to: U.S. Court of Federal Claims Bar Association (CFCBA).

Hotel arrangements should be made directly with the Hyatt Regency at Penn's Landing in Philadelphia: 215-928-1234, 800-233-1234, or on Hyatt.com. Please mention the **2005 Judicial Conference**. The following rates have been confirmed for this event:

Single Occupancy: \$159.00 • Double Occupancy: \$159.00 • Triple Occupancy: \$184.00

Government Per Diem Single Occupancy: \$116.00 (or rate prevailing at time of Conference)

Government Per Diem Double Occupancy: \$141.00 (or rate prevailing at time of Conference)

Registration is not complete until full payment has been received. Government training vouchers are welcome but must be completed in full by requesting agency prior to submission.

Please contact your government training official if you have any questions.

Cancellations: Cancellations must be in writing and received by October 3, 2005.

There will be no refunds for cancellations requested after October 3, 2005.

CLE Credits are being requested for all states requiring CLE.

Please visit our website (www.uscfc.uscourts.gov) for more information and to download the registration form.

UNITED STATES COURT OF FEDERAL CLAIMS

18th Judicial Conference Registration Form

Please fax the completed Registration Form to 202-637-3593. Or, if paying by check or voucher, detach and return completed Registration Form along with payment to: CFC Bar Association, Sutherland Asbill & Brennan, 1275 Pennsylvania Avenue, NW Washington, D.C.
For planning purposes please fill out completely.

Name: _____
(Last) (First) (M.I.)

Home Phone: _____

Business Phone: _____

Place of Employment: _____

Address: _____
(Street Address) (City) (State) (Zip Code)

Email Address: _____

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Government Attorney Non-CFC Bar Assn. Member:	\$215.00
Private Attorney CFC Bar Assn. Member*:	\$240.00
Private Attorney Non-CFC Bar Assn. Member:	\$265.00
Spouse/Guest of Members, Reception & Dinner Only:	\$80.00
Spouse/Guest of Non-Members, Reception & Dinner Only:	\$90.00

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Registration Amount: \$ _____

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Method of Payment: Credit Card Check Training Voucher

Credit Card Number: _____ Signature: _____

Expiration Date: _____ Mastercard Visa

Name as it appears on Card: _____

Detach and return completed Registration Form along with Payment to:

CFC Bar Association
Sutherland Asbill & Brennan
Attn: Sandy LaJocono, 1275 Pennsylvania Avenue, NW
Washington, D.C. 20004-2415

Make Checks Payable to: CFC Bar Association

To download registration form, go to the court's website at www.uscfc.uscourts and click on Judicial Conference link. You may fax your registration to 202-637-3593.